



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 8032-99

22 September 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 September 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board rejected your unsubstantiated contention to the effect that your medical conditions caused you to fail the physical readiness test (PRT), and resulted in your discharge. It noted that although you suffered from a number of medical conditions during your enlistment, they were mild in nature, and did not render you unfit for duty. The fact that the Department of Veterans Affairs (VA) awarded you a combined rating of 0% for a fungal infection and sinusitis is not probative of error or injustice in your case, because the VA awards disability ratings without regard to the issue of fitness for military service. Unlike the VA, the military departments may assign ratings only in those cases where the service member has been found unfit to perform the duties of his office, grade, rate or rating. In the absence of evidence which demonstrates that you were unfit for duty, the Board was unable to recommend any corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new

and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director